IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 37572 of 2003(W)

PETITIONER:

P.SANKARAN KUTTY, RESIDING AT
MYLADUMKUNNU ESTATE, KADANGODE, THALAPPALLY TALUK,
THRISSUR DISTRICT

BY ADV. SRI.PULIKKOOL ABUBACKER

RESPONDENTS:
---

1. THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
POONKUNNAM, THRISSUR

2. DEPUTY CHIEF CONTROLLER OF EXPLOSIVES
ERNAKULAM, COCHIN-18

3. DISTRICT COLLECTOR, THRISSUR.

4. KADANGODE GRAMA PANCHAYATH, REPRESENTED
BY ITS SECRETARY, KADANGODE, THRISSUR DISTRICT

5. P.K.JALEEL, MANAGING PARTNER, BEST GRANITES, KADANGODE.

6. P.V.KRISHNAN KUTTY, ABA INDUSTRIES, KADANGODE.

7. VIJAYAKUMAR, SREE LAKSHMI GRANITES, KADANGODE.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
ADV. SRI.JIJO PAUL
ADV. SMT.SHYLAJA VARGHESE
ADV. SRI.P.VIJAYA BHANU
ADV. SRI.BIJU ZACHARIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	:	TRUE COPY OF THE RESOLUTION NO.237 DATED 30.08.2003 OF THE 4TH RESPONDENT.

RESPONDENTS' EXHIBITS:

EXT.R5(a)	:	TRUE COPY OF THE QUARRYING PERMIT FOR GRANITE STONE ISSUED BY THE DEPARTMENT OF MINING AND GEOLOGY DATED 05.09.2003.
EXT.R5(b)	:	TRUE COPY OF CONSENT ISSUED BY THE KERALA POLLUTION CONTROL BOARD DATED 21.08.2003.
EXT.R5(c)	:	TRUE COPY OF THE DEALERS LICENSE DATED 04.09.2003 ISSUED BY THE MINING AND GEOLOGY DEPARTMENT.
EXT.R5(d)	:	TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE KADANGODE GRAMA PANCHAYATH DATED 01.09.2003.
EXT.R5(e)	:	TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DEPARTMENT OF FIRE AND RESCUE SERVICES DATED 03.09.2003.
EXT.R5(f)	:	TRUE COPY OF THE MEDICAL REPORT GIVEN BY THE MEDICAL OFFICER, THRISSUR.

/TRUE COPY/

P.S. TO JUDGE.

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.P.(C). NO. 37572 **OF 2003 W**

Dated this the 13th September, 2007

JUDGMENT

H.L.DATTU, C.J.

This Writ Petition was referred to the Division Bench by a learned single Judge of this Court by order dated 15th September, 2004, solely on the ground that similar Writ Petition is already pending before a Division Bench in W.P.(C) No.24706 of 2004.

2. W.P.(C) No.24706 of 2004 came to be disposed of by this Court on 27th October, 2004. In that, the Court was pleased to observe as under:

> "In view of the counter affidavit filed by Respondent No.11 (District Collector, Thrissur), the learned counsel for the petitioner prays that the writ petition may be closed. We order accordingly."

3. The issues that were raised in W.P.(C) No.24706 of 2004 are identical with the issues raised in W.P.(C) No.37572 of 2003. In view of the disposal of W.P.(C) No.24706 of 2004, in our opinion, the reliefs sought for by the petitioner in this Writ Petition need not be considered by us. Accordingly, the Writ Petition is disposed of as having become unnecessary.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)

. NO.

Judge

ahz/